

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MAXELL, LTD.,

Plaintiff,

v.

HUAWEI DEVICE USA INC. and
HUAWEI DEVICE CO., LTD.,

Defendants.

Case No. 5:16-cv-00178-RWS

LEAD CASE

JURY TRIAL DEMANDED

ORDER

Before the Court is the parties' Joint Motion for Stay. The parties request to stay all deadlines pending as of May 30, 2018 until the final conclusion of the *inter partes* review. The parties further agree to withdraw the following motions with the understanding that these motions cannot be re-filed based on the same issues:

1. **Docket No. 231** – Maxell's Motion for Sanctions on Defendants Huawei Device USA Inc. and Huawei Device Co., Ltd., filed March 14, 2018;
2. **Docket No. 272** – Huawei's Motion for Summary Judgment on the Non-Infringement of U.S. Patent No. 7,671,901, filed May 4, 2018;
3. **Docket No. 276** – Huawei's Motion for Summary Judgment on the Non-Infringement of U.S. Patent No. 7,203,517, filed May 4, 2018;
4. **Docket No. 275** – Huawei's Motion for Summary Judgment on the Non-Infringement of U.S. Patent No. 6,856,760, filed May 4, 2018; and
5. **Docket No. 265** – Huawei's Motion to Strike Portions of Dr. Souris's Expert Report on Infringement of U.S. Patent No. 7,671,901, filed May 4, 2018.

Having considered the parties' motion, the Court finds that the motion is well taken and should be granted. Accordingly, it is **ORDERED** that the parties' motion to withdraw Docket Nos. 231, 265, 272, 275, and 276 is **GRANTED** with prejudice to refileing the same.

It is further **ORDERED** that the motion to stay is **GRANTED** and this case is hereby **STAYED** pending final resolution, including appeals, of Huawei's instituted IPRs, IPR2018-00210, IPR2018-00233 and IPR2018-00209, and of any pending IPRs on the patents-in-suit that Huawei has previously filed.

All pending motions between Plaintiff Maxell and the Huawei Defendants not withdrawn above are **DENIED WITHOUT PREJUDICE**. The parties may re-file any motion denied without prejudice within **fourteen (14) days** of any Court Order lifting the stay.

Additionally, the parties are **ORDERED** to submit a joint notice on the status of the case **no later than ten (10) days** after final resolution of the latest filed IPR petition.

So ORDERED and SIGNED this 31st day of May, 2018.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE